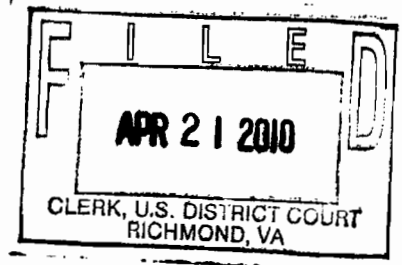


McCARTER & ENGLISH, LLP
Four Gateway Center
100 Mulberry Street
Newark, New Jersey 07102
(973) 622-4444



Robert H. Chappell, III, Esquire (VSB #31698)
Neil E. McCullagh, Esquire (VSB #39027)
Jennifer J. West, Esquire (VSB #47522)
Erin E. Kessel, Esquire (VSB #65360)
Spotts Fain PC
411 East Franklin Street, Suite 600
Richmond, Virginia 23219
Phone: (804) 697-2000
Fax: (804) 697-2100

Attorneys for PNY Technologies, Inc.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re:)	
)	
PNY TECHNOLOGES, INC.)	
)	
Appellant,)	Case No. 3:10cv205
v.)	
)	
)	
CIRCUIT CITY STORES, INC., et al.,)	
)	
Appellee.)	

ORDER DISMISSING APPEAL

This day came the Appellant, PNY Technologies, Inc., and represented to the Court that it wishes to have the above-styled appeal from the United States Bankruptcy Court for the Eastern District of Virginia, Richmond Division, dismissed without prejudice and that the Appellee, Circuit City Stores, Inc., has consented to the same, as evidenced by its counsel's endorsement below of this Order.

A TRUE COPY, TESTE:
CLERK, U.S. DISTRICT COURT


BY *cm Cracher*
DEPUTY CLERK

Upon consideration of the Appellant's representation and it otherwise appearing proper to do so, it is accordingly ORDERED that this appeal be, and it hereby is, DISMISSED WITHOUT PREJUDICE.

Enter: April 20, 2010

/s/ REP
United States District Judge
Robert E. Payne

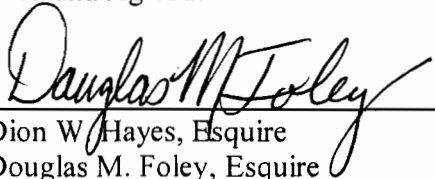
I ask for this:


Robert H. Chappell, III, Esquire (VSB #31698)
Neil E. McCullagh, Esquire (VSB #39027)
Jennifer J. West, Esquire (VSB #47522)
Erin E. Kessel, Esquire (VSB #65360)
Counsel for PNY Technologies, Inc.
SPOTTS FAIN PC
411 East Franklin Street, Suite 600
Richmond, Virginia 23219
Phone: (804) 697-2000
Fax: (804) 697-2100
nmccullagh@spottsfain.com

and

McCARTER & ENGLISH, LLP
Four Gateway Center
100 Mulberry Street
Newark, New Jersey 07102
(973) 622-4444

Seen and Agreed:


Dion W. Hayes, Esquire
Douglas M. Foley, Esquire
MCGUIRE WOODS LLP
Counsel for Circuit City Stores, Inc.
One James Center
901 East Cary Street
Richmond, Virginia 23219
dhayes@mcguirewoods.com
dfoley@mcguirewoods.com

and

Gregg M. Galardi, Esquire
Ian S. Fredericks, Esquire
SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP
One Rodney Square
P.O. Box 636
Wilmington, Delaware 19899-0636
Gregg.galardi@skadden.com
Ian.fredericks@skadden.com